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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/743,329

12/26/2001

Michael Ploug

PLOUG 1

9896

1444

7590

10/05/2004

BROWDY AND NEIMARK, P.L.L.C.  
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EXAMINER

CHISM, BILLY D

ART UNIT

PAPER NUMBER

1654

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/743,329	26 December	Ploug, <i>et al.</i>	PLOUG=1

EXAMINER

B. Dell Chism

ART UNIT

PAPER

1654

20040927

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

1. The timely submission under 37 CFR 1.129(a) filed on 15 July 2004 is not fully responsive to the prior Office action because the elected species of claim 62 is to an eight amino acid peptide, however, the formula I requires a nine amino acid peptide. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.
2. Examiner Chism spoke with Mr. Cooper, Applicants' representative, on 23 September 2004, regarding the non-responsive amendment.



B. D. Chism

CHRISTOPHER R. TATE  
PRIMARY EXAMINER